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09/866,685	05/30/2001	Takao Miyazaki	3562-0115P	6040

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EXAMINER

YE, LIN

ART UNIT PAPER NUMBER

2622

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/866,685

Applicant(s)

MIYAZAKI, TAKAO

Examiner

Lin Ye

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-19 and 24-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-19 and 24-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION*****Response to Arguments***

1. Applicant's arguments filed 1/18/2006 have been fully considered but they are not persuasive as to claims 2-19 and 24-38.

For claim 16, the applicant argues that the Pavley (U.S. Patent 6,317,141) and Hasegawa (U.S. Patent 6,084,169) reference fails to disclose or suggest a method as recited in claim 16, which, “for separately prepared music and a plurality of images, makes a period of a first playback time for playback of the plurality of images substantially coincide with a period of a second playback time for the separately prepared music based on the number of images and a playback time for each of the plurality of images thereby achieving backup-tuned images with coinciding image playback and music playback times”, because the rejection provides no support for the assertion that this feature is inherently achieved, or even suggested by Pavley (See Applicant’s REMARKS, page 12, lines 18-27).

The examiner disagrees. The Pavley reference clearly discloses in Figures 9A-B and 11–14, each of the media objects for multimedia Slide Show presentation can include a plurality components: images, audio, video and texts. When the user edits media object to be played back, the playback time of the plurality of images (video clips, see Col. 14, lines 1-3) and the playback time of the audio are prepared separately by the user as shown in Figures 13 and 18. The user edits the duration (play back time) the media object, and one of duration types is a fixed duration, such as 3 seconds, or the user overrides the duration setting by manually playing the next media object. The setting causes the media object to be played for the

duration of the associated audio (See Col. 16, lines 1-6). This means that a first playback time for playback of the plurality of images (video playback time) substantially coincide with a period of a second playback time for the separately prepared music based on the number of images (video clips) and a playback time for each of the plurality of images (e.g., because the images, video and audio are the **properties** of the media object, the play back time of media object is same as the video playback time and also same as the audio playback time inherently), and achieving backup-tuned images (images of the slide show) with coinciding image playback and music playback times (e.g. all the playback time of the components associated in the media object, such as video and audio coincide with the playback time of the media object).

It should be noted that the Hasegawa reference teaches **the audio data which is music** for camera system. This is only the purpose for combining the Hasegawa reference with Pavley reference. The Hasegawa reference is evidence that one of ordinary skill in the art at the time to see more advantages for digital camera system having more flexible option to generate a multimedia presentation slide show that can output any type of audio such music or voice together with the moving or changing images. For that reason, it would have been obvious to one of ordinary skill in the art to modify the audio playback module of Pavley ('141) becoming a music playback module as taught by Hasegawa ('169), so that the editing module of Pavley ('141) can edits the separately prepared music and the plurality of images as taught by Hasegawa ('169).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 16, 17 and 2-15, 18-19 and 24-38 rejected under 35 U.S.C. 103(a) as being unpatentable over Pavley U.S. Patent 6,317,141 in view of Hasegawa et al. U.S. Patent 6,084,169.

Referring to claim 16, the Pavley reference discloses in Figures 1, 4, and 11-21, a method for adjusting an image playback time of a plurality of images (e.g., video data contains a plurality of sequential images as video clips) and a audio playback time of accompanying music to substantially coincide (e.g., as a slide show for multimedia presentation), the method comprising: (a) accepting input of instructions for selecting images (Figure 5, step 500) and audio to be played back (Figures 8 and 9A-B); (b) setting at least one of images to be played back, an image playback time for playing back said images, audio to be played back, movies (video) to be played back, a total playback time, a audio genre, a screen switching method, and a mixing level (see editing screens from Figure 12-18), wherein said audio is prepared separately from said images (e.g., the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file. The both audio and image data in the editing screens are prepared independently and

separately by user's desire); (c) obtaining at least one of said image playback time and said audio playback time from said setting of said images and said setting of said audio (See Col. 12, lines 10-15); (d) adjusting at least one of said obtained image playback time and said obtained audio playback time to make a period first playback time, which is the playback time for the images substantially coincide with a period of a second playback time, which is the playback time for said audio, wherein said first playback time is defined based on the number of said images and on a playback time is defined based on the number of said images and on a playback time for each of said plurality of images (e.g., each of the media objects for multimedia Slide Show presentation can include a plurality components: images, audio, video and texts. When the user edits media object to be played back, the playback time of the plurality of images as video clips and the playback time of the audio are prepared separately by the user as shown in Figures 13 and 18. The user edits the play back time of the media object, and one of play back time types is a fixed duration, such as 3 seconds, or the user overrides the duration setting by manually playing the next media object. The setting causes the media object to be played for the duration of the associated audio, see Col. 16, lines 1-6. This means that a first playback time for playback of the plurality of images substantially coincide with a period of a second playback time for the separately prepared music based on the number of images and a playback time for each of the plurality of images. Because the images, video and audio are the **properties** of the media object, the play back time of media object is same as the video playback time and also same as the audio playback time inherently), said achieving backup-tuned images (video clips) with coinciding image playback and music playback times (e.g. all the playback time of the components associated

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in the media object, such as video and audio coincide with the playback time of the media object, see Col. 15, lines 59-67 and Col. 16, lines 1-10 and Col. 15, lines 65-67); and (e) processing at least one of the images and the audio after said adjusting of at least one of said obtained image playback time and said obtained audio playback time (e.g., generating a slide show presentation, see Col. 16, lines 1-10). However, the Pavley reference does not explicitly shows the audio is music or just simply voice.

The Hasegawa reference teaches in Figures 2 and 14, an automatically music composing system including cameras (video camera 1401, digital camera 1403 as the image input device 201, see Col. 8, lines 19-25) for entering moving images or still images; and the background music is automatically composed using the parameter and scene reproduction time, and the composed background music is output along with the moving or changing image (See Col. 1, lines 62-67 and Col. 2, lines 1-5 and 59-67). The Hasegawa reference is evidence that one of ordinary skill in the art at the time to see more advantages for digital camera system having more flexible option to generate a multimedia presentation slide show that can output any type of audio such music or voice together with the moving or changing images. For that reason, it would have been obvious to one of ordinary skill in the art to modify the audio playback module of Pavley ('141) becoming a music playback module as taught by Hasegawa ('169), so that the editing module of Pavley ('141) can edit the separately prepared music and the plurality of images.

Referring to claim 17, the Pavley reference discloses in Figures 1, 4, and 11-21, an image and music playback apparatus for playing back images (100, see Col. 2, lines 65-67), comprising: an image playback module (e.g., the cues 438 displayed across the top of the

movie graph 432 as an image playback module in the video editing screen 430 are associated with a video playback time, see Figures 13-17, and Col. 13, lines 65-57) for playing back a plurality of images (e.g., video data contains a plurality of sequential images as video clips) accompanied by music prepared separately (e.g., the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file. The both audio and image data in the editing screens are prepared independently and separately by user's desire) from said plurality of images in a first playback time (video duration); a audio playback module (e.g., the cues 438 displayed across the top of the audio waveform 452 as an audio playback module in the video editing screen 450 are associated with a audio playback time, see Figure 18, and Col. 43, lines 45-52) for playing back said audio in a second playback time; and an editing section (the user pressing the "Edit" soft key 206b as an editing module including a video editing screen 430 and a audio editing screen 450) connected to said image playback module and said audio playback module for making a period of said first playback time substantially coincide with a period of said second playback time, said editing section defining said first playback time based on the number of said images and on a playback time for each of said plurality of images, when sequentially playing back said plurality of images (e.g., each of the media objects for multimedia Slide Show presentation can include a plurality components: images, audio, video and texts. When the user edits media object to be played back, the playback time of the plurality of images as video clips and the playback time of the audio are prepared separately by the user as shown in Figures 13 and 18. The user edits the play back time of the media object, and one of play



back time types is a fixed duration, such as 3 seconds, or the user overrides the duration setting by manually playing the next media object. The setting causes the media object to be played for the duration of the associated audio, see Col. 16, lines 1-6. This means that a first playback time for playback of the plurality of images substantially coincide with a period of a second playback time for the separately prepared music based on the number of images and a playback time for each of the plurality of images. Because the images, video and audio are the **properties** of the media object, the play back time of media object is same as the video playback time and also same as the audio playback time inherently), said achieving backup-tuned images (video clips) with coinciding image playback and music playback times (e.g. all the playback time of the components associated in the media object, such as video and audio coincide with the playback time of media object, see Col. 15, lines 59-67 and Col. 16, lines 1-10 and Col. 15, lines 65-67); and (e) processing at least one of the images and the audio after said adjusting of at least one of said obtained image playback time and said obtained audio playback time (e.g., generating a slide show presentation, see Col. 16, lines 1-10). However, the Pavley reference does not explicitly shows the audio is music or just simply voice.

The Hasegawa reference teaches in Figures 2 and 14, an automatically music composing system including cameras (video camera 1401, digital camera 1403 as the image input device 201, see Col. 8, lines 19-25) for entering moving images or still images; and the background music is automatically composed using the parameter and scene reproduction time, and the composed background music is output along with the moving or changing image (See Co01. 1, lines 62-67 and Col. 2, lines 1-5 and 59-67). The Hasegawa reference is evidence that one

of ordinary skill in the art at the time to see more advantages for digital camera system having more flexible option to generate a multimedia presentation slide show that can output any type of audio such music or voice together with the moving or changing images. For that reason, it would have been obvious to one of ordinary skill in the art to modify the audio playback module of Pavley ('141) becoming a music playback module as taught by Hasegawa ('169), so that the editing module of Pavley ('141) can edits the separately prepared music and the plurality of images.

Referring to claim 2, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an image setting section for selecting said images; and a music (e.g. as discussed in claim 17, **thereafter the audio clip referred as music**) setting section for selecting said music (four-way navigation button 200 for selecting the media objects such as images, audio clips, see Figure 4 and Col. 7, lines 50-65), wherein said editing module adjusts an image playback time to make said image playback time and said music playback time substantially coincide (the media object to be played for the duration of the associated audio, see Col 15, lines 65-67 and Col. 16, lines 1-10), based on said number of said images and said music playback time of said music (audio is inherently a time-based media).

Referring to claim 3, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an image playback time-setting section (the editing screens for images and video as shown in Figure 12-17) for setting said playback time of each of said images in to a meta data File (360, in Figure 9A); and a music setting section (four-way navigation button

200 for selecting the media objects such as images, audio clips, see Figure 4 and Col. 7, lines 50-65) for selecting said music, wherein said number of said images is adjusted to make said image playback time and said music playback time substantially coincide, based on said playback time of each of said images and said music playback time of said music (see Col 15, lines 65-67 and Col. 16, lines 1-10 and the comments in claim 2).

Referring to claim 4, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an image setting section for setting said number of said images (media objects); and an image playback time-setting section for setting said playback time (duration of play) of each of said images (as a slide show file in Figure 9A-9B), wherein said music, which is adjusted (in Figure 18, the audio editing screen 450 can adjust the audio playback time associated with the media object to be played, See Col. 14, lines 45-52) so that said image playback time and said music playback time substantially coincide, is edited, based on said number of said images and said playback time of each of said images.

Referring to claim 5, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing section comprises an adjustment section for adjusting said image playback time to substantially coincide with said music playback time, when said image playback time and said music playback time are not substantially the same (As shown in Figures 12-18, the camera has images, video and audio editing screen is capable for adjusting duration of play time and selecting those media type data. After it completes editing and saves to as slide

show data file. So all media data including the images and audio can be played coincide as a multimedia presentation see Col. 12, lines 8-10 and Col. 11, lines 29-56).

Referring to claim 6, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 5, and the Pavley reference discloses wherein: said adjustment section includes an image playback time-adjusting section (See properties screen 480 in Figure 21 and video editing screen in Figures 15-17) for adjusting said image playback time; said image playback time-adjusting section includes: an image number-adjusting section for setting said number of said images (selecting the still images and adding to the play list as shown in Figure 9A-9B, see Col. 12, lines 10-13); and an image time-adjusting section for setting said playback time of each of said images, wherein said image playback time-adjusting section adjusts said image playback time to substantially coincide with said music playback time, based on said image number-adjusting section and said image time-adjusting section (See the comments on claim 2).

Referring to claim 7, the Pavley and Hasegawa references disclose all subject matter as discussed in respected same comments with claims 4 and 5.

Referring to claim 8, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing module comprises a playback time setting section for setting a time defined by a user as playback time of said images; an image playback time-adjusting section for adjusting said image playback time to substantially coincide with said playback time defined by the user; and a music playback time-adjusting section for adjusting said music playback time to substantially coincide with said playback time defined by the user (e.g., the user can

manually using the navigation control during slide show to setting the play back duration time for both image and audio data, see Col. 16, lines 1-10; the variety of functions provided by the editing screens enable the user to edit the audio , video and image media types all which a digital video camera, see Col. 16, lines 41-43).

Referring to claim 9, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses wherein said editing module comprises wherein an image file is created having said music playback time and said image playback time that substantially coincide (See Col. 12, lines 12).

Referring to claim 10, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses a movie playback module, wherein movies are played back having movie (video) playback time that substantially coincides with said music playback time of said music, said music being separate from said movies (as stand-alone audio clip file) and played back to accompany said movies (See Col. 12, lines 6-17).

Referring to claim 11, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses screen switching-setting section (See edit screen from Figures 11-18) for setting said playback time of each of said images by synchronizing timing for switching images with a specific timing of said music as a slide show.

Referring to claim 12, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 11, and the Pavley reference discloses wherein said

specific timing of said music (audio clip files) is at least one of a beginning of each sub-section of said music and a distinctive sound (See Figure 9A as meta data file).

Referring to claim 13, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Hasegawa reference discloses an image processing section (processor 205, see Col. 2, lines 50-51) for setting a process of image switching (see Col. 6, lines 63-67 and Col. 7, lines 58-67) for each genre of said music as shown in Figures 7-8 (e.g., differences background color and foreground color of images associate with difference musical value train aggregations. The each musical value train aggregation can be consider as each genre of the music, see Col. 5, lines 1-34).

Referring to claim 14, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses a movie (video and audio) playback module, wherein movies and said images are played back such that a total playback time for playing back said plurality of images along with said movies substantially coincides with said music playback time, said music being separate from said movies and played back to accompany said movies and said images (See Col. 12, lines 6-17).

Referring to claim 15, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 14, and the Pavley reference discloses wherein creation information of at least one of said images and said movies is outputted to a file (output a meta data file 360 as shown in Figure 9A-B, see Col. 11, lines 41-47).

Referring to claim 18, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 17, and the Pavley reference discloses images editing section includes: an adjustment section having at least one of: an image number-adjusting section for

adjusting a number of images (See Figure 4A-B, marking the interested images to play) to be played back; and an image time-adjusting section (See Figure 21, adjusting duration of time to play) for adjusting a time for playing back an image.

Referring to claim 19, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claims 17 and 18, and the Pavley reference discloses an image processing section (computer 112 in Figure 1), connected to said adjustment section (editing screen 114), said image processing section processing said images in concert with said music to be played back; and a music processing section (audio codec120) connected to said adjustment section, said music processing section processing said music (audio or sound) in concert with said images to be played back (See Col. 4, lines 3-8 and Col. 12, lines 26-32).

Referring to claim 24, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley reference discloses wherein playback time of each image is determined based on said second playback time and the number of said plurality of images (e.g., as shown in Figures 13-18, the Pavley reference shows two separate editing screen, one is a video editing screen 430 for editing the only prepared plurality of images, and another is a audio editing screen 450 for editing the only prepared audio file. The both audio and image data in the editing screens are prepared independently and separately, inherently, playback time of each image is determined based on said second playback time and the number of said plurality of images according to user's desire as shown in properties screen 480 in Figure 21).

Referring to claim 25, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claims 16 and 24, and wherein a playback time for each of said

plurality of images based on a distinctive sound in said music (e.g., selecting different media object as a distinctive sound data as shown in Figure 21).

Referring to claim 26, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claims 16 and 24, and wherein a playback time for each of said plurality of image based on a sub-section of said music (e.g., as shown in Figure 18, a position of playback head 434, and sue locations 436 and 438 that mark the sub-section of said music for playback with the plurality of images).

Referring to claim 27, the Pavley and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 24.

Referring to claim 28, the Pavley and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 25.

Referring to claim 29, the Pavley and Hasegawa references disclose all subject matter as discussed in respected same comments with claim 26.

Referring to claim 30, the Pavley and Hasegawa references disclose all subject matter as discussed in respected to claim 16, and the Pavley discloses wherein said setting step sets a number of images to be played back and a playback time per image (See Figures 12 and 21, image editing Screen and properties Screen) and said adjusting step adjusts said obtained music (audio) playback time so that the music playback time substantially coincides with total image playback time (e.g., the both audio and image data in the editing screens are **prepared independently and separately**, inherently, the audio playback time can be adjusted to so that the audio playback time substantially coincides with total image playback time according to user's desire).



Referring to claim 31, the Pavley and Hasegawa references disclose all subject matter as discussed in respect to claim 16, and the Pavley discloses when said setting step sets total playback time based on a previously designated total playback time (e.g., the multimedia objects, such as video or audio data are time base data, so that the duration of total playback time are depended on those data), said adjusting step adjusts music (audio) playback time and the image playback time based on said total playback time, when total playback time is not previously designed and image playback time per image is set, said adjusts music playback time so that the music playback time substantially coincides with total image playback time, and when total playback time is not previously designated and image playback time per image is not set, said adjusting step adjusts playback time per image so that total image playback time substantially coincides with music playback time (e.g., the both audio and image data in the editing screens are **prepared independently and separately**, total image playback time and music playback time coincide with the media object play time).

Referring to claim 32, the Pavley and Hasegawa references disclose all subject matter as discussed in respect to claims 16 and 31, and thereafter the video playback time referred as movie playback time.

Referring to claim 33, the Pavley and Hasegawa references disclose all subject matter as discussed in respect to claim 16, and the Pavley discloses wherein a user inputs instructions for selecting images and music to be played back using a display screen menu as shown in Figures 11-21 (Slide Show Edit Screens).

Referring to claim 34, the Pavley and Hasegawa references disclose all subject matter as discussed in respect to claim 16, and the Pavley discloses wherein a user inputs

instructions for selecting a movie (video) and music (e.g. each slide show includes a plurality of multimedia objects, such as video and audio, see Figure 9A-9B) to be played back using a display screen menu as shown Figures 11-21.

Referring to claim 35, the Pavley and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 31.

Referring to claim 36, the Pavley and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 32, and thereafter the video playback time referred as movie playback time.

Referring to claim 37, the Pavley and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 33.

Referring to claim 38, the Pavley and Hasegawa references disclose all subject matter as discussed in respected with same comments to claims 17 and 34.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lin Ye  
Examiner  
Technology Division 2622

March 27, 2006



DAVID OMETZ  
SUPERVISORY PATENT EXAMINER